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The Board of Trustees of The Leland Stanford Junior
University

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

The Board of Trustees of The Leland Stanford
Junior University,

Plaintiff,

v.

Stanford Financial Group Company and Stanford
Group Company,

Defendants.

No. 3:08-cv-04950 CRB

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING HEARING
TO SHOW CAUSE**

Existing Date: April 24, 2009
Stipulated Date: May 29, 2009
Time: 10:00 a.m.
Ctvm: 8

Hon. Charles R. Breyer

Pursuant to Civil L.R. 7-7(a) and the Court's Standing Order, all parties to this action, by
and through their respective counsel of record, hereby stipulate as follows:

On March 25, 2009, the Court entered an Order to Show Cause requiring the Receiver
appointed by the Northern District of Texas to exercise control and possession of the
Defendants' assets (the "Receiver") to appear before the Court on April 24, 2009 to explain its
contention that further proceedings in this action are barred and why this action should not
proceed. Document No. 103. In addition, the Court directed the Receiver and the Plaintiff
Stanford University ("Stanford") to file a Joint Case Management Conference Statement on or

Case No. 3:08-cv-04950 CRB

STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING HEARING TO SHOW CAUSE

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1 before April 17, 2009.

2 Since the Court entered the Order to Show Cause, Stanford and the Receiver have
3 engaged in settlement discussions and are working to finalize a resolution of this action. While
4 the parties have been working diligently to reach a resolution, it is unlikely that a final agreement
5 can be reached before the April 17, 2009 filing deadline for the Joint Case Management
6 Conference Statement or the April 24, 2009 date for the hearing to show cause.

7 To provide the parties time to resolve their disputes, Stanford and the Receiver wish to
8 continue the date of the hearing to show cause to May 29, 2009. Additionally, the parties wish to
9 continue the filing date for the Joint Case Management Conference Statement to May 22, 2009
10 and to reset the hearing dates for the Defendants' five pending motions, which are all currently
11 set for May 22, 2009, to June 26, 2009, with opposition and reply dates to run from the later, re-
12 scheduled date pursuant to Civil L.R. 7-3.

13 NOW THEREFORE, IT IS SO STIPULATED between the parties that there is good
14 cause for the Court to enter an order resetting the date for the Hearing to Show Cause, which is
15 currently set for April 24, 2009, to May 29, 2009.

16 IT IS FURTHER STIPULATED between the parties that there is good cause to enter an
17 order resetting the filing date for the Joint Case Management Conference Statement, which is
18 currently set for April 17, 2009, to May 22, 2009.

19 IT IS FURTHER STIPULATED between the parties that there is good cause for the
20 Court to enter an order to reset the hearing dates for Stanford Financial Group Company's
21 Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group
22 Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim on
23 Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for
24 Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford
25 Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for
26 Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's
27 Motion for Partial Summary Judgment (Doc. No. 80), which are all currently set for May 22,
28 2009, to June 26, 2009, with opposition and reply dates to run from the later, re-scheduled date

1 pursuant to Civil L.R. 7-3.

2
3 DATED: April 16, 2009

4 Bingham McCutchen LLP

5
6
7 By: /s/ William F. Abrams
8 William F. Abrams
Bingham McCutchen LLP

9 Attorneys for Plaintiff
10 The Board of Trustees of The Leland
Stanford Junior University

11 DATED: April 16, 2009

12
13 Thompson & Knight LLP

14
15 By: /s/ Jessica B. Magee
16 Jessica B. Magee
Thompson & Knight, LLP

17
18 Attorneys for the Receiver for Defendants
19 Stanford Financial Group Company and
Stanford Group Company

NOW THEREFORE, IT IS HEREBY ORDERED THAT the Hearing to Show Cause, currently set for April 24, 2009, is re-scheduled for hearing at 10:00 a.m. in Courtroom 8 on May 29, 2009.

IT IS FURTHER ORDERED THAT a Joint Case Management Conference Statement, currently due to be filed on or before April 17, 2009, shall be filed on or before May 22, 2009.

IT IS FURTHER ORDERED THAT Stanford Financial Group Company's Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim on Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's Motion for Partial Summary Judgment (Doc. No. 80), set for hearing on May 22, 2009, are re-scheduled for hearing at 10:00 a.m. in Courtroom 8 on June 26, 2009, with opposition and reply deadlines to be based on the re-scheduled date.

DATED: April 17, 2009

